



A.D. 1722 N° 444.

P A T E N T

OF

GEORGE SINCLAIR.

RAISING AND CULTIVATING MEDICINAL
PLANTS.

LONDON:

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Raising and Cultivating Medicinal Plants.

SINCLAR'S PATENT.

GEORGE, by the grace of God, &c., to all to whom these Presents shall come greeting.

WHEREAS our trusty and welbeloved GEORGE SINCLAR hath by his petiçon humbly represented vnto vs, that he practised physick in Jamaica, and
5 had a plantaçon there, which in the year One thousand seven hundred and thirteen was destroyed by the Spaniard^e, and he was soon after taken at the Bay of Campeachy, and carried prisoner to the City of Mexico, where he was received into favour [of the Viceroy, Don Gasper de Valero, and served him in quality of his physitian between four and five years, till by instigation and
10 fals suggestions of the chief Spanish physitian and others, all his good^e and money were seized and himself imprisoned by the space of six months, till he found an opportunity to make his escape, and got on board an English vessell bound for the Bahama Island^e: That during his travels in America, by means of his profession, and practising in physick, and visiting many part^e of
15 Mexico and Peru, and his constant intercourse with the native Indians for about six years, he had great opportunities of making observations and successfull experiment^e, and receiving informations concerning the cultivating and vsing severall vegetables not hitherto cultivated and vsed in our Plantaçons in America, which might be of great benefit to our subiect^e and the trade of
20 the plantaçons and Great Britain; wherefore he hath humbly prayed vs to grant him our Royal Letters Patents for the sole vse and exercise in our Plantaçons in America, for the space of fourteen years, in “ RAISING AND CULTIVATING THE PLANT^e WHICH ARE COMMONLY CALLED OR DO PRODUCE THE BALSAM OF

Sinclar's Method of Raising and Cultivating certain Medicinal Plants, &c.

TOLU, PERO, AND CAPAIR, DRAGON'S BLOOD, COLOQUINTIDA, SCAMONY, RHUBARB, CONTRA HERBA, COFFEE, ALKERMES, JALAP, GUTTA GAMBA, JESUIT'S BARK, IPPECACUANA, AGARIC, AND THE SOLE BREEDING AND CURING THE INSECT COMMONLY CALLED COCHENELE, AND THE CULTIVATING THE PLANT OR PLANT[℥] FOR THE EFFECTS AFORESAID WHICH THEY FEED OR LIVE VPON," as a recompence for the pains and 5 expences he hath been at and is likely to sustain in bring such his discoveries in practice in our plantacons; wee being willing to give encouragement to all arts and invencons which may be for the publick vtility, are graciously pleased to gratifie him in his request.

KNOW YEE, THEREFORE, that wee, of our especial grace, certain know- 10 ledge, and meer mocon, have given and granted, and by these Presents, for vs, our heires and successors, do give and grant vnto the said George Sinclar, his executors, administrators, and assignes, especial lycence, full power, sole priviledge and authority, that the said George Sinclar, his executors, administrators, and assignes, and every of them, by himselfe or themselves, or by 15 his or their deputy and deputies, servants or agents, or such others as he, the said George Sinclar, his executors, administrators, or assignes, shall at any time agree with, and no others, from time to time during the term of years herein expressed, shall and lawfully may have the sole vse and exercise in our Plantacons in America in raising and cultivating the plants which are 20 commonly called or do produce the balsam of tolu, pero, and capair, dragon's blood, coloquintida, scammony, rhubarb, contra herba, coffee, alkermes, jalap, gutta gamba, jesuit[℥] bark, ippecacuana, agaric, and the sole breeding and curing the insect commonly called cochenele, and the cultevating the plant or plant[℥] for the effect[℥] aforesaid which they feed or live upon, in such manner 25 as to him, the said George Sinclar, his executors, administrators, and assignes, or any of them, shall in their discretions seem meet, and that he, the said George Sinclar, his executors, administrators, and assignes, shall and lawfully may have and enioy the whole profit, benefit, comodity, and advantage from time to time coming, growing, accrewing, and arising by reason of the said 30 Invencon for and during the term of yeares herein menconed, to have, hold, exercise, and enioy the said lycence, powers, priviledges, and advantages herein-before granted or mentioned to be granted vnto the said George Sinclar, his executors, administrators, and assignes, for and during and vnto the full end and term of fourteen years from the date of these Present[℥] next 35 and immediately ensuing, and fully to be compleat and ended, according to the Statute in such case made and provided. And to the end that the said George Sinclar, his executors, administrators, and assignes, and every of them, may have and enioy the full benefit and the sole vse and exercise of the said

Sinclar's Method of Raising and Cultivating certain Medicinal Plants, &c.

Invençon according to our gracious intention herein-before declared, wee do by these Presents, for vs, our heires and successors, require and strictly comānd all and every person and persons, bodies politick and corporate, and all other our subiect^e whatsoever, of what estate, quality, or degree, name or condition
5 soever they be, in our said Plantations in America, that neither they or any of them, at any time during the continuance of the said term of fourteen years hereby granted, either directly or indirectly, do make, vse, or put in practice the said Invention so attained vnto by the said George Sinclar as aforesaid, nor in any wise counterfeit, imitate, or resemble the same, nor shall
10 make or cause to be made any addition thereunto or substraçon from the same, whereby to pretend himself or themselves the inventor or inventors, devisor or devisors thereof, without the lycence, consent, or agreement of the said George Sinclar, his executors, administrators, or assignes, in writing vnder his or their hand^e and seales first had and obtained in that behalf, vpon such
15 pains and penalties as can or may be iustly inflicted on such offenders for their contempt of this our royal command, and further to be answerable to the said George Sinclar, his executors, administrators, and assignes, according to law for his and their damages thereby occasioned. And moreover, wee do by these Presents, for vs, our heirs and successors, will and comānd all and
20 singular the justices of the peace, mayors, sheriffs, bayliffs, constables, head-boroughs, and all other officers and ministers whatsoever of vs, our heires and successors, for the time being, that they or any of them do not, nor shall at any time hereafter during the said terme hereby granted, in any wise molest, trouble, or hinder the said George Sinclar, his executors, administrators, or
25 assignes, or any of them, their or any of their deputies, servants, or agent^e, in or about the due and lawfull vse or exercise of the aforesaid inventions or any thing relating thereto: Provided always, and these our Letters Patents are and shall be vpon this condition, that if at any time during the said terme hereby granted it shall be made appear to vs, our heirs or successors,
30 or any six or more of our or their Privy Council, that this our grant is contrary to law or preiudicial or inconvenient to our subiect^e in generall, or that the said Invention is not a new invention as to the publick vse and exercise thereof in this our said Plantations in America, and not invented and found out by the said George Sinclar as aforesaid, then, vpon the significaçon or
35 declaraçon thereof, to be made by vs, our heirs or successors, vnder our or their signet or privy seal, or by the Lord^e and others of our or their Privy Council, or any six or more of them, vnder their hand^e, these our Letters Patents shall forthwith cease, determine, and be vtterly void to all intent^e and purposes, any thing herein-before contained to the contrary in any wise

Sinclar's Method of Raising and Cultivating certain Medicinal Plants, &c.

notwithstanding: Provided also, that these our Letters Patent^e, or any thing herein contained, shall not extend or be construed to extend to give priviledge vnto the said George Sinclar, his executors, administrators, or assignes, or any of them, to vse or imitate any invention or work whatsoever, which hath heretofore been found out or invented by any other of our subiect^e whatsoever, 5 and publickly vsed or exercised in our said Plantations in America, vnto whom like Letters Patent^e or priviledges have been already granted, for the sole vse, exercise, and benefit thereof, it being our will and pleasure that the said George Sinclar, his executors, administrators, and assignes, and all and every other person and persons to whom like Letters Patent^e or priviledges have 10 been already granted as aforesaid, shall distinctly vse and practice their several Inventions by them invented and found out, according to the true intent and meaning of the same respective Letters Patent^e and of these Present^e: Provided likewise, nevertheless, and these our Letters Patent^e are vpon this express condition, that if the said George Sinclar, his executors or 15 administrators, or any person or persons which shall or may at any time or times hereafter during the continuance of this grant, have or claim any right, title, or interest in law or equity, of, in, or to the power, priviledge, and authority of the sole vse and benefit of the said Invention hereby granted, shall make any transferr or assignment, or any pretended transferr or assign- 20 ment of the said liberty and priviledge, or any share or shares of the benefit or profit thereof, or shall declare any trust thereof to or for any number of persons exceeding the number of twelve, or shall open or cause to be opened any book or books for publick subscrip^tions to be made by any number of persons exceeding the number of twelve, in order to the raising any sume or 25 sumes of money, vnder pretence of carrying on the said liberty or priviledge hereby granted, or shall by him or themselves, or his or their agent^e or servant^e, receive any sume or sumes of money whatsoever of any number of persons exceeding in the whole the number of twelve, for such or the like intents or purposes, or shall presume to act as a corporate body, or shall divide the 30 benefit of these our Letters Patent^e, or the liberty and priviledges hereby by vs granted, into any number of shares exceeding the number of twelve, or shall comitt or do, or procure to be committed or done, any act, matter, or thing whatsoever, during such time as such person shall have any right or title, either in law or equity, in or to the said premisses which will be contrary 35 to the true intent and meaning of a certain Act of Parliament made in the sixth year of our reign, intituled (An Act for the better securing certain Powers and Priviledges intended to be granted by His Maiestie by Two Charters, for Assurance of Ships and Merchandizes at Sea, and for lending Money vpon

Sinclar's Method of Raising and Cultivating certain Medicinal Plants, &c.

Bottomry, and for restraining severall extravagant and vnwarrantable Practices therein mentioned,) if these our Letters Patent^e had not been granted, or in case the said power, priviledge, or authority shall at any time hereafter vested in trust for more than the number of twelve persons or their representatives at any one time (reckoning executors or administrators as and for the single person whom they represent, as to such interest as they are or shall be intituled to in right of such their testator or intestate); that then and in any of the said cases, these our Letters Patents, and all liberties, priviledges, and advantages whatsoever hereby granted, shall vtterly cease, determine, and become void, any thing herein-before contained to the contrary thereof in any wise notwithstanding. And lastly, wee do by these Present^e, for vs, our heirs and successors, grant vnto the said George Sinclar, his executors, administrators, and assignes, that these our Letters Patent^e, or the inrollment or exemplification thereof, shall be in and by all thing^e good, firm, valid, sufficient, and effectual in the law, according to the true intent and meaning thereof, and shall be taken, construed, and adiudged in the most favourable and beneficial sense for the best advantage of the said George Sinclar, his executors, administrators, and assignes, aswell in all Court^e of Record as elsewhere, and by all and singular the officers and ministers whatsoever of vs, our heires and successors, in our said Plantaçons in America, and amongst all and every the subiect^e of vs, our heires and successors, whatsoever and wheresoever, notwithstanding the not full and certain describing the nature or quality of the said Invençon, or of the materials thereto conducing and belonging.

In witness, &c. Witness our selfe at Westminster, the Sixteenth day of May.

By Writt of Privy Seal.

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